

eruptions, and hemiplegia; and that the devices would help humanity restore itself to normal health, improve respiratory processes and functions, stimulate secretion, improve muscular and general metabolism, stimulate the excretory organs, and assist elimination. The devices would not effect the results nor fulfill the promises of benefit stated and implied. The devices were misbranded in this respect while held for sale after shipment in interstate commerce.

Further misbranding, Section 502 (f) (1), the labeling of the devices failed to bear adequate directions for effective treatment of poor circulation, circulatory ailments, sore, aching joints, sagging chin, etc., insomnia, bruises, sprains, fractures, and many other bone and muscle ailments, sagging muscles, varicose veins, arthritis, gangrene, paralysis resulting from polio, bursitis, prostate gland trouble, pain and paralysis of arm and leg after stroke, constipation, and broken ankles; and for preventing malfunctioning of the heart, lungs, liver, and intestines, enabling all to keep in better physical condition, adding years to one's life, and keeping one young without the usual pains and aches, which are the purposes for which the articles were offered in an advertisement in a Boston newspaper disseminated and sponsored by the distributor, Niagara of New England, and orally by a representative of the consignee. The devices were misbranded in this respect while held for sale after shipment in interstate commerce.

DISPOSITION: July 21, 1953. Niagara of New England, claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the printed matter which accompanied the devices be destroyed and that the devices be released to the claimant.

DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

4228. Adulteration of agaric root (peelings). U. S. v. 3 Bags * * *. (F. D. C. No. 35406. Sample No. 49983-L.)

LIBEL FILED: August 28, 1953, Southern District of New York.

ALLEGED SHIPMENT: On or about October 27, 1952, from Missoula, Mont.

PRODUCT: *Agaric root* (peelings). 3 bags, each containing 272 pounds, of the product at New York, N. Y.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of insects.

DISPOSITION: September 21, 1953. Default decree of condemnation and destruction.

4229. Adulteration of Private Formula No. 21. U. S. v. 72 Bottles * * *. (F. D. C. No. 35443. Sample No. 62101-L.)

LIBEL FILED: July 29, 1953, Southern District of Iowa.

ALLEGED SHIPMENT: On or about June 10, 1953, from Peoria, Ill.

PRODUCT: 72 6-ounce bottles of *Private Formula No. 21* at Davenport, Iowa.

NATURE OF CHARGE: Adulteration, Section 501 (a) (1), the article consisted in whole or in part of a filthy substance by reason of the presence of mold. The article was adulterated while held for sale after shipment in interstate commerce.

DISPOSITION: September 18, 1953. Default decree of condemnation and destruction.